

DATE: 4/1/2008

CASE NUMBER: 08-15548-001M-SD

PLEA/SENTENCING MINUTES

USA vs. Erika Celaya-Martinez

U.S. MAGISTRATE JUDGE: JAY R. IRWIN Judge #: 70BK

U.S. Attorney _____ INTERPRETER REQ'D Ricardo Gonzalez

Attorney for Defendant Richard L. Juarez (AFPD)

DEFENDANT: PRESENT NOT PRESENT RELEASED CUSTODY

DOA 3/31/08

Complaint Filed

Appointment of counsel hearing held

Financial Afdvt taken

No Financial Afdvt taken

Financial Afdvt sealed

Initial Appearance

DETENTION HEARING:

Held Cont'd Reset UA

Set for: before:

Defendant ordered temporarily detained in the custody of the United States Marshal

Defendant ordered released (see order setting cond of rel) Bail set at \$_____

Defendant continued detained pending trial Flight Risk Danger

PLEA HEARING: Held Cont'd Reset

Set for: 4/9/08 at 1:00 pm before: Magistrate Judge Irwin

Consent to be tried by a Magistrate Judge signed Class A Misd Class B Misd Class C Misd

Consent of Defendant Information filed _____ Complaint filed _____

Defendant sworn and examined by the Court Plea of Guilty Not Guilty Entered to Counts _____

Defendant states true name to be _____. Further proceedings ORDERED in defendant's true name.

Plea of Guilty entered as to Ct(s) _____ of the Information Indictment Complaint

Court recommends/or accepts defendant's plea and finds plea to be freely and voluntarily given.

Plea agreement: Lodged Filed Sealed

Court does not accept defendant's plea of guilty because _____

PSI ORDERED EXPEDITED PSI waived Time waived for passage of sentence

Continued for sentence to _____ before _____

To be dismissed upon entry of the judgment, Ct(s) _____

ORDER vacate trial date/motion hearing/mtns moot

ORDER defendant remain released pending sentence remanded to USM

SENTENCING:

Defendant committed to Bureau of Prisons for a period of _____ Probation/Supervised Release for _____

Special Assessment \$_____ Fine \$_____ Restitution \$_____

Other: Defense moves for a continuance. Government has no objection. Court grants motion.

RECORDED: CS

BY: Angela J. Tuohy, Deputy Clerk

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

3/31

UNITED STATES OF AMERICA

v.

Erika CELAYA-Martinez
Citizen of Mexico
YOB: 1977
088764924
Illegal Alien

CRIMINAL COMPLAINT

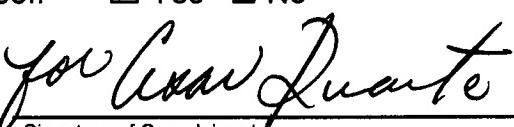
CASE NUMBER: 08-15548M-SO

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

COUNT I

That on or about January 28, 2007, near Andrade, California in the Southern District of California, Defendant Erika CELAYA-Martinez, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof. Yes No


Signature of Complainant

Chris Cantua
Senior Patrol Agent

Sworn to before me and subscribed in my presence,

April 1, 2008

Date

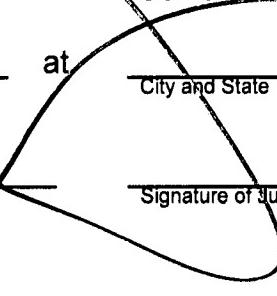
at

Yuma, Arizona

City and State

Jay R. Irwin, U.S. Magistrate

Name & Title of Judicial Officer


Signature of Judicial Officer

STATEMENT OF FACTUAL BASIS

Defendant: Erika CELAYA-Martinez

Dependents: 2 Mexican

IMMIGRATION HISTORY: The Defendant is an illegal alien.

CRIMINAL HISTORY: None found.

<u>DATE LOCATION</u>	<u>OFFENSE</u>	<u>DISPOSITION</u>
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Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Yuma Border Patrol agents near Yuma, Arizona.

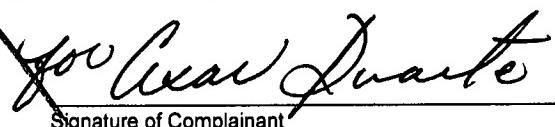
The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

The Defendant was transported to the Yuma station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Andrade, California on January 28, 2007.

Charges: 8 USC§1325

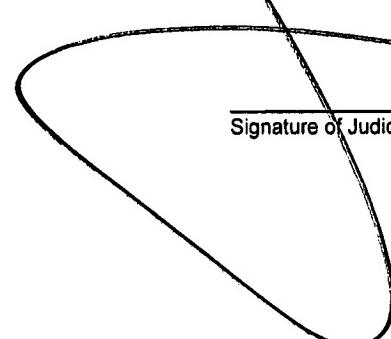
(Misdemeanor)


Signature of Complainant

Sworn to before me and subscribed in my presence,

April 1, 2008

Date


Signature of Judicial Officer

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IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

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United States of America,

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Plaintiff,

10 vs

12 Erika CELAYA-Martinez

13 Defendant.

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16 All charges against the Defendant, CELAYA-Martinez, Erika, are dismissed without
17 prejudice in the above-mentioned case.

19 DATED this 4th day of April, 2008.

Jay R. Irwin
United States Magistrate Judge

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26 cc: USM/PTS/BP